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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,	})	Case No. 07-70198 WDB
14 Plaintiff,	})	[PROPOSED] ORDER GRANTING
15 v.	})	STIPULATION TO WAIVE TIME UNDER
16 SANUARIO MONTOYA-ORTIZ,	})	SPEEDY TRIAL CLOCK AND FOR
17 Defendant.	})	PRELIMINARY HEARING
<hr/>		Date: May 15, 2007
		Time: 10:00 a.m.
		Before the Honorable Wayne D. Brazil

19
 20 **[PROPOSED] ORDER**

21 Pursuant to Fed. R. Crim. P. 5.1(d) and 18 U.S.C. § 3161(h)(8), the parties in this matter
 22 filed a Stipulation to Waive Time Under Speedy Trial Clock and For Preliminary Hearing
 23 ("Stipulation") seeking to waive and extend the time for the preliminary hearing and to exclude
 24 the time between May 15, 2007 and June 6, 2007 from the Speedy Trial Clock. For the reasons
 25 set forth in the parties' Stipulation and for good cause appearing,

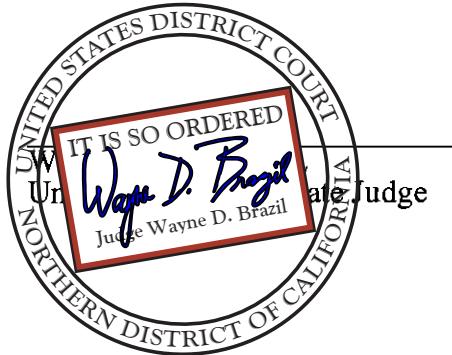
26 **IT IS HEREBY ORDERED** that the period of time between May 15, 2007 and June 6,
 27 2007 is excluded from the Speedy Trial Clock to allow counsel to effectively prepare, taking into

28 [PROPOSED] ORDER GRANTING PRELIMINARY
 HEARING EXTENSION AND EXCLUSION

Case No. 07-70198 WDB

1 account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the
2 "ends of justice served by the granting of such continuance outweigh[s] the best interests of the
3 public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(8)(A). Accordingly, the
4 preliminary hearing is now scheduled for June 6, 2007 at 10:00 a.m.

5 DATED: May 14, 2007



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